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PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968  
TRUMAN A. HERRON 1925-1978  
EDWARD B. EVANS 1936-1971

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DATE: September 22, 2005

RE: Serial No. 10/072,475; Filed: February 6, 2002; For: Handpiece for Treatment of Tissue; Applicants: Roger Stern et al.; Conf. No. 3000

TO: Examiner Michael Peffley  
Art Unit 3739

FROM: Kevin G. Rooney

FAX NO.: 571-273-8300

TOTAL PAGES: 29  
(including cover sheet)

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MESSAGE/COMMENTS

OFFICIAL

PLEASE DELIVER TO EXAMINER PEFFLEY IMMEDIATELY

Enclosures: Amendment Transmittal including Petition for Extension of Time and authorization to charge deposit account extension fee  
Amendment under 37 C.F.R. § 1.116 (22 pgs.)

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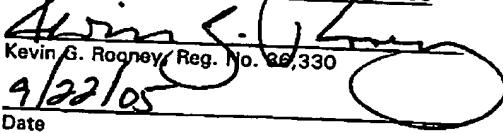
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PATENT

I hereby certify that this correspondence is being transmitted via facsimile to Examiner Michael Peffley in Group Art Unit 3739 (Fax No. 571-273-8300) on September 22, 2005

  
Kevin G. Rooney, Reg. No. 26,330

9/22/05  
Date

Applicants: Roger Stern et al.  
Serial No.: 10/072,475  
Filed: February 6, 2002  
Group Art Unit: 3739  
Examiner: Michael Peffley  
Title: HANDPIECE FOR TREATMENT OF TISSUE  
Confirmation No.: 3000  
Atty Docket: THERM-11

Cincinnati, Ohio 45202

September 22, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

#### AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.
2.  Small Entity status is claimed.  
 Other than a Small Entity.
3. The fee has been calculated as shown below:

09/23/2005 CNGUYEN 00000066 233000 10072475

01 FC:2251 60.00 DA

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		LARGE ENTITY	
Claims Remaining After Amendment		Highest No. Previously Paid For		Extra	Present Rate	Fee	Present Rate	Fee
TOTAL	61	MINUS	102	= 0	x \$25	\$0	x \$50	\$0
INDEP.	21	MINUS	31	= 0	x \$100	\$0	x \$200	\$0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$180	\$0	+ \$360	\$0	
TOTALS				TOTAL FEE	\$	TOTAL FEE	\$0	

- ☆ If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ☆☆ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- ☆☆☆ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid for" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

X No additional fee for claims is required.

4. Attached is a check in the sum of \$ \_\_\_\_\_.

— Please charge my Deposit Account No. 23-3000 in the amount of  
\$ \_\_\_\_\_.  
A duplicate copy of this sheet is attached.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Complete (a) or (b) as applicable.

(a) X Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<u>X</u>	one month <u>          </u>	\$ 120.00 \$ 60.00
<u>      </u>	two months <u>          </u>	\$ 450.00 \$225.00
<u>      </u>	three months <u>          </u>	\$1,020.00 \$510.00
<u>      </u>	four months <u>          </u>	\$1,590.00 \$795.00

       Attached is a check in the amount of \_\_\_\_\_ for the three month extension fee as required by 37 C.F.R. § 1.17(c)

X Please charge my Deposit Account No. 23-3000 in the amount of \$60.00 for one month extension fee.

(Check and complete the next item, if applicable)

       An extension for \_\_\_\_\_ months has already been secured and the fee paid thereof of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_\_\_.

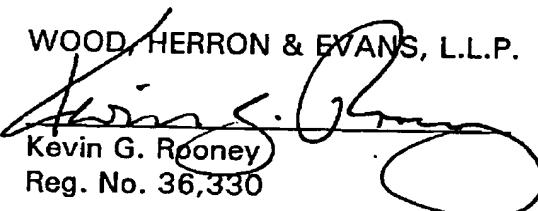
OR

(b) \_\_\_\_\_ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

XX If any additional fee for claims or extension of time is required, charge Account No. 23-3000. A duplicate of this transmittal is attached.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

  
Kevin G. Rooney  
Reg. No. 36,330

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